

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

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In re	:	Chapter 9
	:	
CITY OF DETROIT, MICHIGAN,	:	Case No. 13-53846
	:	
Debtor.	:	Hon. Steven W. Rhodes
	:	
	:	
	-----X	

**ORDER CONFIRMING THAT THE
AUTOMATIC STAY DOES NOT APPLY TO CERTAIN
CONDEMNATION PROCEEDINGS INITIATED BY THE CITY**

This matter coming before the Court on the Motion of the City of Detroit, Pursuant to Section 105(a) of the Bankruptcy Code, for an Order Confirming that the Automatic Stay Does Not Apply to Certain Condemnation Proceedings Initiated by the City (the "Motion"),¹ filed by the City of Detroit. Michigan (the "City"); the Court having reviewed the Motion and having considered the statements of counsel and the evidence adduced with respect to the Motion at a hearing before the Court (the "Hearing"); the Court finding that (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b), (c) notice of

¹ Capitalized terms not otherwise defined herein have the meanings given to them in the Motion.

the Motion and the Hearing was sufficient under the circumstances, (d) the relief requested in the Motion and granted herein is necessary and appropriate to carry out the provisions of the Bankruptcy Code and in the best interests of the City, its creditors and other parties in interest; and the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. The City is authorized to continue to prosecute the
Condemnation Proceedings identified on Annex A hereto notwithstanding the Automatic Stay and the pendency of the City's chapter 9 case. Similarly, the defendants are permitted to defend against any such Condemnation Proceedings; *provided that* any counterclaims that may be asserted by the defendants against the City are subject to the Automatic Stay.
3. This Order shall be effective immediately upon its entry.

Signed on June 19, 2014

/s/ Steven Rhodes
Steven Rhodes
United States Bankruptcy Judge

ANNEX A

SCHEDULE OF CONDEMNATION PROCEEDINGS

Defendant(s)	Case Number	Court
State of Michigan	12-014797-CC	Wayne County Circuit Court
Martha Wilcox (Albert)	12-014799-CC	Wayne County Circuit Court
Martha Wilcox (Albert)	12-014867-CC	Wayne County Circuit Court
CE Detroit, LLC	12-014803-CC	Wayne County Circuit Court
Gail Wilson, <i>et al.</i>	12-015039-CC	Wayne County Circuit Court
Mohamed Mdrahi	13-005784-CC	Wayne County Circuit Court
True Missionary Baptist	13-005785-CC	Wayne County Circuit Court
True Missionary Baptist	13-005787-CC	Wayne County Circuit Court
True Missionary Baptist	13-005795-CC	Wayne County Circuit Court
True Missionary Baptist	13-005814-CC	Wayne County Circuit Court
Issam & Ibtisam Khami	13-005816-CC	Wayne County Circuit Court
CE Detroit, LLC	13-005820-CC	Wayne County Circuit Court
Kenneth L. Wilson	13-005825-CC	Wayne County Circuit Court
True Missionary Baptist	13-005826-CC	Wayne County Circuit Court
True Missionary Baptist	13-005827-CC	Wayne County Circuit Court
Steven & Barbara A. Lucido	13-005828-CC	Wayne County Circuit Court
Detroit Leasing, Inc.	13-005829-CC	Wayne County Circuit Court
Estate of Nema N. Newell c/o Charlene Glover-Hogan, Personal Representative	13-005830-CC	Wayne County Circuit Court
James Jones	13-005831-CC	Wayne County Circuit Court
James Jones	13-005832-CC	Wayne County Circuit Court